

Notice of Allowability

Application No.

10/523,232

Examiner

Hadi Shakeri

Applicant(s)

GALEN ET AL.

Art Unit

3723

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to phone interview on 07/07/06.
2. ☒ The allowed claim(s) is/are 2,3,5,6,8-10,12,14-19,21-23,25-27,29-33 and 35-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060703.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____

HADI SHAKERI
PRIMARY EXAMINER

7/7/06

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Ribando on Friday 7, 2006.

Please cancel claims 4, 7, 13, 20, 24, 28 and 34

Please change the dependency for claims 5, 8, 14, 21, 25, 29, 35 and 36 from the canceled claims to claim 38

Please replace claim 38 with the following:

38. (Currently Amended) A grinding device especially adapted to perform dry machining, the grinding device comprising:

a plurality of grinding segments and a matrix surrounding at least one of said plurality of grinding segments,

said at least one of said plurality of grinding segments comprising a resin bond material and a superabrasive material provided in an amount between 10% and 43.75% by volume of the total composition of the grinding segment dispersed throughout the resin bond material,

said at least one grinding segment comprising a refractory non-grinding abrasive grain material provided in an amount less than 10% by volume of the total composition of the grinding segment, a heat-dissipative melt-phase metal material comprising a copper tin alloy provided in an amount between 30% and 68% by volume of the total composition of the grinding segment to enhance heat dissipation through the grinding segments, and a dry lubricant material provided

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in an amount at least 1% by volume of the total composition of the grinding segment to inhibit the generation of heat due to friction; and

said matrix comprising an epoxy resin,

said matrix further comprising a dry lubricant provided in an amount between 1% and 5% by weight of the total composition of the matrix to inhibit the generation of heat due to friction, a porosity filler provided in an amount between 3% and 15% by weight of the total composition of the matrix, and a refractory non-grinding abrasive grain provided in an amount between 10% and 70% by weight of the total composition of the matrix for the purpose of wear retardation, whereby the grinding device is adapted to perform dry machining operations without the use of more than a nominal quantity of coolant or other lubricant.

2. The following is an examiner's statement of reasons for allowance: prior art does not disclose or suggest a grinding device including all of the elements each with the specified range, as recited in claim 38, and such modification appears as hindsight.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Shakeri whose telephone number is 571-272-4495. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Hadi Shakeri', with a stylized flourish extending to the right.

Hadi Shakeri
Primary Examiner
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July 7, 2006